

**1253**

**REVISION OF PART OF RCRA PERMIT  
APPLICATION**

**08/27/90**

**DOE-1796-90  
DOE-FMPC/WMCO  
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LETTER**



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**Department of Energy****FMPC Site Office**

P.O. Box 398705

Cincinnati, Ohio 45239-8705

(513) 738-6319

**AUG 27 1990**

DOE-1796-90

W. H. Britton, President  
Westinghouse Materials Company of Ohio  
P. O. Box 45239  
Cincinnati, Ohio 45239

Dear Mr. Britton:

**REVISION OF PART OF RCRA PERMIT APPLICATION**

This letter directs Westinghouse Materials Company of Ohio (WMCO) to prepare an amended Part A RCRA permit application under 40 C.F.R. Part 270 to comply with the new Toxicity Characteristic (TC) rule. The TC rule was promulgated by the U. S. Environmental Protection Agency (U.S. EPA) and may be found at 55 Federal Register 11793-11877 (March 29, 1990). The TC rule becomes effective September 25, 1990 and requires interim status facilities managing TC waste to file a revised Part A reflecting the newly-regulated wastes by September 25, 1990. Failure to file a revised Part A may result in a loss of interim status to manage TC wastes and trigger closure requirements or enforcement actions.

The new TC rule contains other federal requirements that become effective on September 25, 1990. Previously-unregulated TC waste becomes subject to the federal interim status standards at 40 C.F.R. Part 265. The TC rule also mandates the use of the Toxicity Characteristic Leaching Procedure (TCLP) when testing for toxic constituents. The use of any equivalent methods must be approved by the EPA Administrator under 40 C.F.R. §§ 260.20 and 260.21. The revised TCLP may be found at Appendix II of Part 261.

Because the revised Part A application must be submitted to U.S. EPA on or before September 25, 1990, I am requesting that WMCO deliver the revised Part A application to the Site Office for review no later than September 10, 1990. Please call me at 6319 if you have any questions concerning this letter.

Sincerely yours,



Gerald W. Westerbeck  
FMPC Site Manager

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